

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AXIOM INVESTMENT ADVISORS, LLC, by
and through its Trustee, Gildor Management,
LLC, and AXIOM INVESTMENT
COMPANY, LLC, by and through its Trustee,
Gildor Management, LLC,

Plaintiffs,

vs.

DEUTSCHE BANK AG,

Defendant.

Case No. 15-cv-09945 (LGS)

**NOTICE OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23**

Please take notice that, upon the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Class Certification Pursuant to Federal Rule of Civil Procedure 23, along with the supporting declarations and their exhibits, Plaintiffs will move this Court, before the Honorable Lorna G. Schofield, United States District Judge for the Southern District of New York, at Thurgood Marshall United States Courthouse, on a date and time to be determined by the Court, for an order certifying the following two classes under Rule of Civil Procedure 23:

1. All persons who (1) entered into a Service Level Agreement or Electronic Platform Terms with Deutsche Bank that contained a provision calling for the application of New York law; (2) submitted an FX order to Deutsche Bank on or after December 21, 2011, via an application programming interface on ABFX, RAPID, or an ECN subject to Electronic

Platform Terms; and (3) had their order rejected by Deutsche Bank because of a price generated after Deutsche Bank received the order.

2. All persons who (1) submitted an FX order to Deutsche Bank on or after December 21, 2011, on an ECN not subject to Electronic Platform Terms; (2) had their order rejected by Deutsche Bank because of a price generated after Deutsche Bank received the order; and (3) were either (a) domiciled in the United States, or (b) if domiciled elsewhere, had their order routed over a Deutsche Bank or ECN server based in New York.

Pursuant to this Court's order of August 2, 2017 (ECF. 100), any opposition papers must be filed by March 1, 2018, and any reply papers must be filed by April 2, 2018.

Please take further notice that movants request oral argument of this motion.

Dated: January 15, 2018

/s/ Aaron M. Zigler
One of the Attorneys for Plaintiffs

Christopher M. Burke
Walter W. Noss
Kristen M. Anderson
Kate Lv
Scott+Scott, Attorneys at Law, LLP
707 Broadway, Suite 1000
San Diego, CA 92101
Phone: (619) 233-4565
Fax: (619) 233-0508

David Scott
Sylvia Sokol
Thomas K. Boardman
Scott+Scott, Attorneys at Law, LLP
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169

Michael D. Hausfeld
Reena A. Gambhir
Jeannine M. Keeney
Hausfeld, LLP
1700 K Street, NW
Suite 650
Washington, DC 20006
Phone: (202) 540-7200
Fax: (202) 540-7201

Bonny E. Sweeney
Michael P. Lehmann
Hausfeld, LLP
600 Montgomery Street
Suite 3200
San Francisco, CA 94111
Phone: (415) 633-1908
Fax: (415) 358-4980

George A. Zelcs
Robert E. Litan
Randall P. Ewing, Jr.
Korein Tillery LLC
205 North Michigan Plaza
Suite 1950
Chicago, Illinois 60601
Phone: (312) 641-9750
Fax: (312) 641-9751

Stephen M. Tillery
Robert L. King
Aaron M. Zigler
Michael E. Klenov
505 North 7th Street
Suite 3600
St. Louis, MO 63101
Phone: (314) 241-4844
Fax: (314) 241-3525

Linda P. Nussbaum
Bart D. Cohen
Bradley J. Demuth
Nussbaum Law Group, P.C.
1211 Avenue of the Americas, 40th Floor
New York, NY 10036-8718
Phone: (212) 702-7053
Fax: (212) 681-0300